

AMENDED IN SENATE APRIL 23, 2008

AMENDED IN SENATE APRIL 21, 2008

AMENDED IN SENATE MARCH 24, 2008

SENATE BILL

No. 1405

Introduced by Senator Padilla

February 21, 2008

~~An act relating to education.~~ *An act to amend Sections 42900 and 42910 of, and to amend the heading of Chapter 18 (commencing with Section 42900) of Part 3 of Division 30 of, the Public Resources Code, relating to solid waste.*

LEGISLATIVE COUNSEL'S DIGEST

SB 1405, as amended, Padilla. ~~Education.~~ *Solid waste: development projects: construction and demolition waste.*

The California Solid Waste Reuse and Recycling Access Act of 1991 (reuse and recycling access act), which is part of the California Integrated Waste Management Act of 1989, required the California Integrated Waste Management Board, on or before March 1, 1993, to adopt a model ordinance for adoption by a local agency, relating to adequate areas for collecting and loading recyclable materials in development projects, as defined. The reuse and recycling access act also required the board, on or before March 1, 2004, to adopt one or more model ordinances. A local agency is required to adopt and enforce that model ordinance, if the local agency did not adopt an ordinance providing for that collection and loading, by September 1, 1994.

This bill would rename the reuse and recycling access act the Development Project and Construction and Demolition Waste Materials Act.

This bill would also delete obsolete provisions relating to the existing requirement to adopt the model ordinance.

~~The California Constitution requires the Legislature to encourage, by all suitable means, the promotion of intellectual, scientific, moral, and agricultural improvement.~~

~~This bill would declare the intent of the Legislature to continue to encourage children to become lifelong learners.~~

Vote: majority. Appropriation: no. Fiscal committee: no.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 *SECTION 1. The heading of Chapter 18 (commencing with*
2 *Section 42900) of Part 3 of Division 30 of the Public Resources*
3 *Code is amended to read:*

4
5 CHAPTER 18. ~~CALIFORNIA SOLID WASTE REUSE AND RECYCLING~~
6 ~~ACCESS ACT OF 1991~~ *DEVELOPMENT PROJECT AND CONSTRUCTION*
7 *AND DEMOLITION WASTE MATERIALS ACT*

8
9 *SEC. 2. Section 42900 of the Public Resources Code is*
10 *amended to read:*

11 42900. This chapter shall be known and may be cited as the
12 ~~California Solid Waste Reuse and Recycling Access Act of 1991~~
13 *Development Project and Construction and Demolition Waste*
14 *Materials Act.*

15 *SEC. 3. Section 42910 of the Public Resources Code is*
16 *amended to read:*

17 42910. ~~(a) Not later than March 1, 1993, after holding a public~~
18 ~~hearing, the board shall adopt a~~ *The model ordinance for adoption*
19 ~~by any local agency adopted by the board pursuant to this section,~~
20 *as this section read on January 1, 2007, relating to adequate areas*
21 *for collecting and loading recyclable materials in development*
22 *projects shall be enforced by a local agency, pursuant to Section*
23 *42911, if the local agency did not take the action required by*
24 *subdivision (a) of Section 42911.*

25 ~~(b) The board shall consult with representatives of the League~~
26 ~~of California Cities, County Supervisors Association of California,~~
27 ~~American Planning Association, American Institute of Architects,~~
28 ~~private and public waste services, building construction and~~

1 management, and retail businesses in developing the model
2 ordinance.

3 (e) ~~Not later than January 1, 1993, the board shall distribute the~~
4 ~~draft model ordinance to all local agencies and other interested~~
5 ~~parties for review. Any comments shall be submitted to the board~~
6 ~~by February 1, 1993, for consideration at the public hearing of the~~
7 ~~board to adopt the ordinance.~~

8 SECTION 1. ~~It is the intent of the Legislature to continue to~~
9 ~~encourage children to become lifelong learners.~~

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